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ELECTRONICALLY FILED
DOC #:
DATE FILED: 11-19-07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PAUL OPPENHEIMER, Individually and on Behalf of
All Other Persons Similarly Situated,

Plaintiffs,

- against -

BLUECAT NETWORKS (USA), INC. a/k/a
BLUECAT NETWORKS, INC., MICHAEL HYATT
and JOHN DOES # 1-10, Jointly and Severally,

Defendants.

ECF CASE

Civil Action No.:
07 CIV 7471 (VM)

**STIPULATION OF
WITHDRAWAL AND
DISMISSAL
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for Paul Oppenheimer and BlueCat Networks (USA), Inc., that plaintiff's Complaint, and this action, including all claims brought under the Fair Labor Standards Act, 29 U.S. C. § 201 et seq., are dismissed with prejudice. Each side will bear its own expenses and costs, including their attorneys' fees, costs and disbursements.

Nov. 14, 2007
New York, New York

PELTON SERPE LLP

By: Brent E. Pelton
Brent E. Pelton (BP-1055)

111 Broadway, 9th Floor
New York, New York 10006
(212) 725-3600
Attorneys for Plaintiff

EPSTEIN BECKER & GREEN, P.C.

By: James G. Murphy
James G. Murphy (JM-9152)
Lauren Malanga Casey (LM-9595)
250 Park Avenue
New York, New York 10177-0077
(212) 351-4500
Attorneys for Defendant

SO ORDERED:

Victor Marrero
U.S.D.J. Victor Marrero

NY:2132139v1

SO ORDERED: The Clerk of Court is directed to close this case.
11-19-07
DATE VICTOR MARRERO, U.S.D.J.